IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 17560 of 2007(M)

PETITIONER:

B. SASIKUMAR,
PROPRIETOR, JAYA TRANSPORTS,
P.O. GURUVAYOOR, THRISSUR.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS:

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1. THE DISTRICT LABOUR OFFICER,
THRISSUR (THE CONTROLLING AUTHORITY UNDER
THE PAYMENT OF GRATUITY ACT 1972).

2. C.K. JOSEPH,
CHEERAN HOUSE, CHRIST NIVAS,
P.O. KOTTAPADI,
PIN – 680 505.

BY GOVERNMENT PLEADER SMT. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.17560 OF 2007

DATED THIS THE 8th DAY OF JUNE, 2007

JUDGMENT

The petitioner challenges Ext.P1 order of the Controlling Authority under the payment of Gratuity Act directing the petitioner to pay an amount of Rs.27,517/- with interest at the rate of 10% from 11.11.98 being the gratuity payable to the 2nd respondent. In so far as the same is an appealable order before the Appellate Authority prescribed under the Payment of Gratuity Act, I am not inclined to entertain this writ petition. However, the petitioner only seeks some time to pay off the amount covered by Ext.P1. I direct the 1st respondent that further proceedings for enforcement of Ext.P1 order shall be kept in abeyance for a period of two months, during which time the petitioner shall either deposit the amount before the 1st respondent or pay the same to the 2nd respondent. After two months from today, the 1st respondent shall take appropriate action to see that the 2nd respondent gets the amount covered by Ext.P1, if the petitioner does not pay the amount within the above time.

S. SIRI JAGAN, JUDGE

Acd